

FILED VIA EFS WEB

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT**

Applicants:	Michael J. Berardi, et al.	Docket No.:	60655.1400
Serial No.:	10/810,473	Filing Date:	August 30, 2004
Group Art Unit:	3621	Confirmation No.:	9805
TITLE:	SYSTEM AND METHOD FOR ENCODING INFORMATION IN MAGNETIC STRIPE FORMAT FOR USE IN RADIO FREQUENCY IDENTIFICATION TRANSACTIONS	Examiner:	Kamal, Shahid

**THIRD REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Henry C. Yuen, SPE (571-272-4856), instructed us to file another Request for Corrected Filing Receipt and Request to Examiner to Acknowledge Proper Priority.

We received the Updated Filing Receipt dated September 13, 2004 with respect to the above-identified patent application. We noticed some errors on the Updated Filing Receipt. Two application serial numbers are missing from the section entitled "Domestic Priority data as claimed by applicant."

Applicants respectfully request that the following be added to the section entitled "Domestic Priority data as claimed by applicant":

This application is a CIP of U.S. Serial No. 10/340,352 filed on 1/10/03 which claims benefit of U.S. Serial No. 60/396,577 filed on 7/16/02

Attached is a copy of the Declaration as filed.

A copy of the Filing Receipt for this application with the requested correction noted thereon is attached.

A brief history is below:

August 12, 2004 - 1st Request for Corrected Filing Receipt filed.

August 31, 2004 - Response to Request for Corrected Filing Receipt received (priority paragraph missing indication of relationship to '352 application).

January 5, 2005 - Preliminary Amendment clarifying relationship to '352 application filed.

January 5, 2005 - 2nd Request for Corrected Filing Receipt filed.

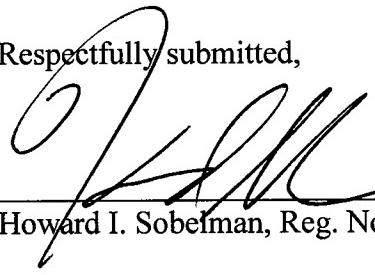
January 11, 2005 - Response to 2nd Request for Corrected Filing Receipt received which indicated that "A claim for priority cannot be made based on an application filed after the application making the claim". The reason "A claim for priority cannot be made based on an application filed after the application making the claim" is incorrect because the 10/340,352 application was filed on January 10, 2003, which is before the filing date of the current application.

We look forward to receiving a corrected Filing Receipt for this application. If you should have any questions, please do not hesitate to contact the undersigned at the telephone number listed below.

Dated: August 31, 2010

**SNELL & WILMER L.L.P.**  
One Arizona Center  
400 E. Van Buren  
Phoenix, Arizona 85004-2202  
Phone: (602) 382-6228  
Fax: (602) 382-6070  
Email: hsobelman@swlaw.com

Respectfully submitted,

  
Howard I. Sobelman, Reg. No. 39,038



IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

-- PATENT --

Applicant(s): Michael J. Berardi, et al. Attorney Docket No.: 60655.1400  
Serial No.: 10/810,473; Confirmation No.: 9805 Examiner TBA  
Date Filed: March 26, 2004 Group Art Unit: 2635  
Title: **SYSTEM AND METHOD FOR ENCODING INFORMATION IN  
MAGNETIC STRIPE FORMAT FOR USE IN RADIO FREQUENCY  
IDENTIFICATION TRANSACTIONS**

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SYSTEM AND METHOD FOR ENCODING INFORMATION IN MAGNETIC STRIPE  
FORMAT FOR USE IN RADIO FREQUENCY IDENTIFICATION TRANSACTIONS**

the specification of which is attached hereto or was filed on March 26, 2004, as Application Serial No. 10/810,473, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below, and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign  
Application(s)

Priority Not Claimed

[ ]

Number	Country	Filing Date
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I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/304,216</u>	<u>July 10, 2001</u>
Application Number	Filing Date
<u>60/396,577</u>	<u>July 16, 2002</u>
Application Number	Filing Date

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>10/192,488</u>	<u>July 9, 2002</u>	Status (Patent, Pending, Abandoned)
Application Number	Filing Date	
<u>10/340,352</u>	<u>January 10, 2003</u>	Status (Patent, Pending, Abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

In the event that the Application Number and/or filing date is not available when this Declaration is executed, I hereby authorize and request any attorney associated with the Snell & Wilmer, L.L.P., Customer No. 20322, to insert above the filing date and/or the application number of said application when known.

Full name of first or joint inventor: Michael J. Berardi

Inventor's signature: Michael J. Berardi Date: 08/10/04

Residence Address: 7770 NW 50th St., #306

City/State: Lauderhill, Florida Zip Code: 33351

Citizenship: United States of America

Full name of second joint inventor: Michal Bliman

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: 4 Dogwood Circle

City/State: Matawan, New Jersey Zip Code: 07747

Citizenship: United States of America

Full name of third joint inventor: David S. Bonalle

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: 77 Rose Hill Avenue

City/State: New Rochelle, New York Zip Code: 10804

Citizenship: United States of America

Full name of fourth joint inventor: Peter D. Saunders

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: 3710 East Palisade Drive

City/State: Salt Lake City, Utah Zip Code: 84109

Citizenship: United States of America



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AND TRADEMARK OFFICE

-- PATENT --

Applicant(s): Michael J. Berardi, et al. Attorney Docket No.: 60655.1400

Serial No.: 10/810,473; Confirmation No.: 9805 Examiner TBA

Date Filed: March 26, 2004 Group Art Unit: 2635

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City/State: Lauderhill, Florida Zip Code: 33351

Citizenship: United States of America

Full name of second joint inventor: Michal Bliman

Inventor's signature: Michal Bliman Date: 8/19/04

Residence Address: 4 Dogwood Circle

City/State: Matawan, New Jersey Zip Code: 07747

Citizenship: United States of America

Full name of third joint inventor: David S. Bonalle

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: 77 Rose Hill Avenue

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Citizenship: United States of America

Full name of fourth joint inventor: Peter D. Saunders

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Inventor's signature: D.S.B. Date: 8/10/04

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Full name of third joint inventor: David S. Bonalle

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Full name of fourth joint inventor: Peter D. Saunders

Inventor's signature:  Date: 8/16/09

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EP 17 2004



## UNITED STATES PATENT AND TRADEMARK OFFICE

SNELL &amp; WILMER

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/810,473	08/30/2004	2635	900	60655.1400	10	15	3

Patrick L. Mixon  
 Snell & Wilmer L.L.P.  
 One Arizona Center  
 400 East Van Buren  
 Phoenix, AZ 85004-2202

CONFIRMATION NO. 9805

UPDATED FILING RECEIPT



\*OC000000013786649\*

Date Mailed: 09/13/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Michael J. Berardi, Lauderhill, FL; ✓  
 Michal Bliman, Matawan, NJ; ✓  
 David S. Bonalle, New Rochelle, NY; ✓  
 Peter D. Saunders, Salt Lake City, UT; ✓

## Assignment For Published Patent Application

American Express Travel Related Systems Company, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 20322.

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/192,488 07/09/2002 ✓  
 which claims benefit of 60/304,216 07/10/2001 ✓  
 THIS APPLICATION IS A CIP OF 10/340,352 1/10/03  
 WHICH CLAIMS BENEFIT OF 60/396,577 7/16/02  
 Foreign Applications Benefit of 60/396,577 7/16/02

If Required, Foreign Filing License Granted: 07/27/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,  
**US10/810,473**

Projected Publication Date: 12/23/2004

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

System and method for encoding information in magnetic stripe format for use in radio frequency identification transactions ✓

**Preliminary Class**

340

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).